

GARY M. RESTAINO
United States Attorney
District of Arizona
ANGELA W. WOOLRIDGE
Assistant United States Attorney
Arizona State Bar No. 022079
United States Courthouse
405 W. Congress Street, Suite 4800
Tucson, Arizona 85701
Telephone: 520-620-7300
Email: angela.woolridge@usdoj.gov
Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,
Plaintiff,

vs.

1. Luis Fernando Cruz Valenzuela,
(Counts 1-16)
2. Carlos Abel Cruz,
(Counts 17-26)
3. Guillermo Estrella,
(Counts 27-33)
4. Alberto Rufino Espinoza,
(Counts 34-40)

Defendants.

No. CR22-0596-TUC-JGZ-LAB

**SUPERSEDING
INDICTMENT**

VIO: 18 U.S.C. § 554(a)
(Smuggling Goods from the United
States)
Counts 16, 26, 33, 40

18 U.S.C. §§ 922(a)(6) & 924(a)(2)
(Making False Statements in
Connection with Acquisition of
Firearms)
Counts 1-15, 17-25, 27-32, 34-39

18 U.S.C. § 924(d); 28 U.S.C. §
2461(c); 50 U.S.C. § 4819(d)(1)(C)
Forfeiture Allegation

THE GRAND JURY CHARGES:

COUNTS 1-15

On or about the dates listed below, in the District of Arizona, Defendant LUIS FERNANDO CRUZ VALENZUELA knowingly made false statements and representations in connection with the acquisition of a firearm to the businesses listed below, which were intended and likely to deceive the businesses as to a fact material to the lawfulness of a sale of a firearm by the business, each of which was licensed under the provisions of Chapter 44 of Title 18, United States Code, with respect to information

required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of each listed business, in that Defendant LUIS FERNANDO CRUZ VALENZUELA, in connection with the purchase of each of the firearms below, stated that he was the actual transferee/buyer of the firearm, whereas in truth and fact, he was knowingly acquiring the firearm on behalf of another individual:

Count	Date	FFL	Firearm
1	12/15/2021	SnG Tactical	Century Arms VSKA 7.62 rifle
2	12/15/2021	SnG Tactical	Canik METE SFT 9mm pistol
3	12/18/2021	Turner's Outdoorsman	Smith & Wesson M&P15 5.56 rifle
4	01/06/2022	Turner's Outdoorsman	Kaleshnikov USA KR103 7.62 rifle
5	01/17/2022	SnG Tactical	Century Arms VSKA 7.62 rifle
6	01/22/2022	SnG Tactical	Glock 23 Gen 5 .40 caliber pistol
7	02/03/2022	SnG Tactical	Glock 22 Gen 5 .40 caliber pistol
8	02/03/2022	Turner's Outdoorsman	Glock 23 Gen 5 .40 caliber pistol
9	02/05/2022	Murphy's Guns	Glock 17 Gen 5 9mm caliber pistol
10	02/05/2022	James 410 Guns & Ammo	Glock 17 Gen 5 9mm caliber pistol
11	02/17/2022	Turner's Outdoorsman	Glock 17 Gen 5 9mm caliber pistol
12	02/21/2022	SnG Tactical	Glock 22 Gen 5 .40 caliber pistol
13	02/22/2022	Diamondback Shooting Sports	Glock 22 .40 caliber pistol
14	03/01/2022	Diamondback Shooting Sports	Glock 17 9mm caliber pistol
15	03/01/2022	Sportsman's Warehouse	Glock 19 9mm caliber pistol

In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT 16

Between or about December 15, 2021, and March 1, 2022, in the District of Arizona, Defendant LUIS FERNANDO CRUZ VALENZUELA knowingly and fraudulently attempted to export and send from the United States any merchandise, article, or object contrary to any law or regulation of the United States, and received, concealed, bought, sold, and in any manner facilitated the transportation, concealment, and sale of such merchandise, article or object, that is: two Century Arms VSKA 7.62 rifles, one Canik METE SFT 9mm pistol, one Smith & Wesson M&P15 5.56 rifle, one Kaleshnikov USA KR103 7.62 rifle, one Glock model 17 9mm caliber pistol, three Glock model 17 Gen 5 9mm caliber pistols, one Glock model 19 9mm caliber pistol, one Glock model 22 .40

caliber pistol, two Glock model 22 Gen 5 .40 caliber pistols, two Glock model 23 Gen 5 .40 caliber pistols, six 9mm caliber magazines, and two .40 caliber magazines, knowing the same to be intended for exportation contrary to any law or regulation of the United States, to wit: Title 50, United States Code, Section 4819, and Title 15, Code of Federal Regulations, Parts 736.2, 738, and 774.

In violation of Title 18, United States Code, Section 554(a).

COUNTS 17-25

On or about the dates listed below, in the District of Arizona, Defendant CARLOS ABEL CRUZ knowingly made false statements and representations in connection with the acquisition of a firearm to the businesses listed below, which were intended and likely to deceive the businesses as to a fact material to the lawfulness of a sale of a firearm by the business, each of which was licensed under the provisions of Chapter 44 of Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of each listed business, in that Defendant CARLOS ABEL CRUZ, in connection with the purchase of each of the firearms below, stated that he was the actual transferee/buyer of the firearm, whereas in truth and fact, he was knowingly acquiring the firearm on behalf of another individual:

Count	Date	FFL	Firearm
17	01/07/2022	Diamondback Shooting Sports	Zastava ZPAP M70 7.62 rifle
18	01/17/2022	SnG Tactical	Century Arms VSKA 7.62 rifle
19	01/22/2022	SnG Tactical	Glock 23 Gen 5 .40 pistol
20	02/05/2022	Murphy's Guns	Glock 17 9mm pistol
21	02/05/2022	James 410 Guns & Ammo	Glock 22 .40 pistol
22	02/17/2022	Turner's Outdoorsman	Glock 17 Gen 5 9mm pistol
23	02/25/2022	Murphy's Guns	Glock 17 Gen 5 9mm pistol
24	03/01/2022	Diamondback Shooting Sports	Glock 22 .40 pistol
25	03/01/2022	Sportsman's Warehouse 132	Glock 17 9mm pistol

In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT 26

Between or about January 7, 2022, and March 1, 2022, in the District of Arizona, Defendant CARLOS ABEL CRUZ knowingly and fraudulently attempted to export and send from the United States any merchandise, article, or object contrary to any law or regulation of the United States, and received, concealed, bought, sold, and in any manner facilitated the transportation, concealment, and sale of such merchandise, article or object, that is: one Zastava Arms model ZPAP M70 7.62x39mm rifle, one Century Arms model VSKA 7.62x39mm rifle, one Glock model 23 Gen 5 .40 caliber pistol, two Glock model 17 9mm caliber pistols, two Glock model 22 .40 caliber pistols, and two Glock model 17 Gen 5 9mm caliber pistols, knowing the same to be intended for exportation contrary to any law or regulation of the United States, to wit: Title 50, United States Code, Section 4819, and Title 15, Code of Federal Regulations, Parts 736.2, 738, and 774.

In violation of Title 18, United States Code, Section 554(a).

COUNTS 27-32

On or about the dates listed below, in the District of Arizona, Defendant GUILLERMO ESTRELLA knowingly made false statements and representations in connection with the acquisition of a firearm to the businesses listed below, which were intended and likely to deceive the businesses as to a fact material to the lawfulness of a sale of a firearm by the business, each of which was licensed under the provisions of Chapter 44 of Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of each listed business, in that Defendant GUILLERMO ESTRELLA, in connection with the purchase of each of the firearms below, stated that he was the actual transferee/buyer of the firearm, whereas in truth and fact, he was knowingly acquiring the firearm on behalf of another individual:

Count	Date	FFL	Firearm
27	02/22/2022	Murphy's Guns	Glock 19 Gen 5 9mm pistol
28	02/25/2022	Sportsman's Warehouse 132	Glock 17 9mm pistol

1	29	03/14/2022	The Hub	Glock 22 .40 pistol
	30	03/14/2022	SnG Tactical	Glock 22 .40 pistol
2	31	03/25/2022	The Hub	Glock 19X 9mm pistol
3	32	03/25/2022	Diamondback Shooting Sports	Glock 23 .40 pistol

4 In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

5 COUNT 33

6 Between or about February 22, 2022, and March 25, 2022, in the District of Arizona,
 7 Defendant GUILLERMO ESTRELLA knowingly and fraudulently attempted to export
 8 and send from the United States any merchandise, article, or object contrary to any law or
 9 regulation of the United States, and received, concealed, bought, sold, and in any manner
 10 facilitated the transportation, concealment, and sale of such merchandise, article or object,
 11 that is: one Glock model 19 Gen 5 9mm caliber pistol, one Glock model 17 9mm pistol,
 12 two Glock model 22 .40 caliber pistols, one Glock model 19X 9mm pistol, and one Glock
 13 model 23 .40 caliber pistol, knowing the same to be intended for exportation contrary to
 14 any law or regulation of the United States, to wit: Title 50, United States Code, Section
 15 4819, and Title 15, Code of Federal Regulations, Parts 736.2, 738, and 774.

16 In violation of Title 18, United States Code, Section 554(a).

17 COUNTS 34-39

18 On or about the dates listed below, in the District of Arizona, Defendant ALBERTO
 19 RUFINO ESPINOZA knowingly made false statements and representations in connection
 20 with the acquisition of a firearm to the businesses listed below, which were intended and
 21 likely to deceive the businesses as to a fact material to the lawfulness of a sale of a firearm
 22 by the business, each of which was licensed under the provisions of Chapter 44 of Title 18,
 23 United States Code, with respect to information required by the provisions of Chapter 44
 24 of Title 18, United States Code, to be kept in the records of each listed business, in that
 25 Defendant ALBERTO RUFINO ESPINOZA, in connection with the purchase of each of
 26 the firearms below, stated that he was the actual transferee/buyer of the firearm, whereas
 27 in truth and fact, he was knowingly acquiring the firearm on behalf of another individual:
 28

Count	Date	FFL	Firearm
34	02/22/2022	Murphy's Guns	Glock 19 Gen 5 9mm pistol
35	02/25/2022	Sportsman's Warehouse 132	Glock 17 9mm pistol
36	02/25/2022	SnG Tactical	Glock 17 9mm pistol
37	03/14/2022	The Hub	Glock 27 .40 pistol
38	03/23/2022	SnG Tactical	Glock 17 9mm pistol
39	03/25/2022	The Hub	Glock 17 9mm pistol

In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT 40

Between or about February 22, 2022, and March 25, 2022, in the District of Arizona, Defendant ALBERTO RUFINO ESPINOZA knowingly and fraudulently attempted to export and send from the United States any merchandise, article, or object contrary to any law or regulation of the United States, and received, concealed, bought, sold, and in any manner facilitated the transportation, concealment, and sale of such merchandise, article or object, that is: one Glock model 19 Gen 5 9mm caliber pistol, four Glock model 17 9mm pistols, and one Glock model 27 .40 caliber pistol, knowing the same to be intended for exportation contrary to any law or regulation of the United States, to wit: Title 50, United States Code, Section 4819, and Title 15, Code of Federal Regulations, Parts 736.2, 738, and 774.

In violation of Title 18, United States Code, Section 554(a).

FORFEITURE ALLEGATION

Upon conviction of Counts One through Forty of the Indictment Defendants LUIS FERNANDO CRUZ-VALENZUELA, CARLOS ABEL CRUZ, GUILLERMO ESTRELLA, and ALBERTO RUFINO ESPINOZA shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), any firearms and ammunition involved in the commission of the offense, including, but not limited to:

- 1 • eight Glock model 17 9mm caliber pistols, serial numbers BUMU760, BVFK535,
2 BWFB398, BUMY906, BVFU369, BSVU882, BWMR020, and BNMG655
- 3 • five Glock model 17 Gen 5 9mm pistols, serial numbers ABPV833, BWFM509,
4 BUXX254, BFLC581, and ABPV834
- 5 • one Glock model 19 9mm caliber pistol, serial number BVHA607
- 6 • two Glock model 19 9mm Gen 5 caliber pistols, serial numbers BVUB406 and
7 BVXT487
- 8 • one Glock model 19X 9mm pistol, serial number BPMG846
- 9 • five Glock model 22 .40 caliber pistols, serial numbers GGD990, AGEH511,
10 BVNP169, BVER991, and BUSD451
- 11 • two Glock model 22 Gen 5 .40 caliber pistols, serial numbers BVVD148 and
12 BUCS574
- 13 • one Glock model 23 .40 caliber pistol, serial number KCD344
- 14 • three Glock model 23 Gen 5 .40 caliber pistols, serial numbers BVCZ355,
15 BVVH347 and BVVH349
- 16 • one Glock model 27 .40 caliber pistol, serial number BVLK372
- 17 • one Zastava Arms model ZPAP M70 7.62x39mm caliber rifle, serial number Z70-
18 106715
- 19 • three Century Arms model VSKA 7.62x39mm caliber rifles, serial numbers
20 SV7105267, SV7095318, SV7105203
- 21 • one Canik model METE SFT 9mm pistol, serial number 21CC19188
- 22 • one Smith & Wesson model M&P 15 5.56 caliber rifle, serial number TT78139
- 23 • one Kaleshnikov USA model KR103 7.62x39mm caliber rifle, serial number
24 K3R0007046

25 Upon conviction of Count Sixteen of the Indictment, Defendants LUIS
26 FERNANDO CRUZ-VALENZUELA, CARLOS ABEL CRUZ, GUILLERMO
27 ESTRELLA, and ALBERTO RUFINO ESPINOZA shall forfeit to the United States
28 pursuant to Title 50, United States Code, Section 4819(d)(1)(C), any property constituting

1 an item or technology that was exported or intended to be exported in violation of the
2 offense, including, but not limited to: six 9mm caliber magazines and two .40 caliber
3 magazines.

4 If any of the property described above, as a result of any act or omission of the
5 defendants: a) cannot be located upon the exercise of due diligence; b) has been transferred
6 or sold to, or deposited with, a third party; c) has been placed beyond the jurisdiction of
7 the court; d) has been substantially diminished in value; or e) has been commingled with
8 other property which cannot be divided without difficulty, it is the intent of the United
9 States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title
10 28, United States Code, Section 2461(c), to seek forfeiture of any other property of said
11 defendants up to the value of the above forfeitable property, including, but not limited to,
12 all property, both real and personal, owned by the defendants.

13 All pursuant to Title 18, United States Code, Section 924(d), Title 50, United States
14 Code, Section 4819(d)(1)(C), Title 28, United States Code, Section 2461(c) and Rule
15 32.2(a), Federal Rules of Criminal Procedure.

16
17 A TRUE BILL

18 / s /

19
20 FOREPERSON OF THE GRAND JURY
Dated: June 29, 2022

21
22 GARY M. RESTAINO
United States Attorney
District of Arizona

23 REDACTED FOR
PUBLIC DISCLOSURE

24 / s /

25 ANGELA W. WOOLRIDGE
Assistant U.S. Attorney